

CHAPTER 123

GOVERNMENT - STATE

HOUSE BILL 19-1198

BY REPRESENTATIVE(S) Valdez A. and Valdez D., Bird, Buckner, Caraveo, Cutter, Duran, Exum, Froelich, Galindo, Herod, Jackson, Kennedy, Kipp, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Snyder, Tipper, Titone, Weissman, Becker; also SENATOR(S) Bridges and Priola, Court.

AN ACT

CONCERNING THE POWERS AND DUTIES OF THE ELECTRIC VEHICLE GRANT FUND.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-38.5-103, **amend** (1)(a) introductory portion, (1)(b), and (2); **repeal** (1)(a)(I); and **add** (1)(a)(IV) as follows:

24-38.5-103. Electric vehicle grant fund - creation - administration - legislative declaration. (1) (a) There is hereby created in the state treasury the electric vehicle grant fund, referred to in this section as the "fund". ~~The fund shall be used~~ COLORADO ENERGY OFFICE SHALL USE THE FUND to provide grants to state agencies, public universities, public transit agencies, local governments, landlords of multi-family apartment buildings, private nonprofit or for-profit corporations, and the unit owners' associations of common interest communities as defined in article 33.3 of title 38 ~~C.R.S.~~; to install ~~recharging~~ CHARGING stations for electric vehicles. THE COLORADO ENERGY OFFICE MAY ALSO USE THE FUND FOR THE ADMINISTRATIVE COSTS OF PROVIDING THESE GRANTS. ~~The grants shall be prioritized~~ COLORADO ENERGY OFFICE SHALL PRIORITIZE THESE GRANTS based upon:

~~(I) The prospective recipients' potential for, and commitment to, energy efficiency;~~

(IV) ANY OTHER CRITERIA DEFINED BY THE COLORADO ENERGY OFFICE.

(b) The general assembly declares that while the intent of this section is to provide assistance and additional incentive where needed to encourage the installation of charging stations ~~rather than to fully fund the installation of any station~~; thereby maximizing the number of stations that can be installed using the

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

limited resources available from the fund, the Colorado energy office may grant the full cost of an installation OR HELP OFFSET STATION OPERATING COSTS in a location that is especially advantageous for support of the electric vehicle market but where other revenues are not and will not foreseeably be available to defray the costs. ~~of installation.~~

(2) The Colorado energy office is authorized to seek, ~~and~~ accept, AND EXPEND gifts, grants, or donations from private or public sources for the purposes of this section. All private and public funds received through gifts, grants, or donations shall be transmitted to the state treasurer, who shall credit the same to the fund. The ~~moneys~~ MONEY in the fund ~~shall be subject to annual appropriation by the general assembly~~ IS CONTINUOUSLY APPROPRIATED TO THE COLORADO ENERGY OFFICE. Any ~~moneys~~ MONEY in the fund not expended for the purposes of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of ~~moneys~~ MONEY in the fund shall be credited to the fund. Any unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund at the end of a fiscal year ~~shall~~ MUST remain in the fund and ~~shall~~ MUST not be credited or transferred to the general fund or another fund.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 17, 2019